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MANDATORY REPORTING NATIONAL LAW MUST GO FURTHER TO PROTECT DOCTORS AND SAVE LIVES

AMA President, Dr Tony Bartone, said today that the AMA is urging the Queensland Parliament to take advantage of the opportunity to make improvements to the *Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2018*.

Under COAG processes, the Bill in the Queensland Parliament dictates the mandatory reporting laws for all States and Territories, except Western Australia, where mandatory reporting laws are more sophisticated and robustly protective than this Bill.

The Queensland Parliament has the opportunity to save lives, and give doctors access to the same level of health care their patients enjoy. All Australians deserve this right and access.

Dr Bartone said the AMA wants the national law to more closely reflect the protections provided to doctors by the WA legislation.

“We need the law to provide confidence and peace of mind to doctors and medical students that they can seek mental health care without fear of reprisal or threat to their medical careers,” Dr Bartone said.

“We do not want to see any more doctors or students taking their own lives because they were afraid to seek care.

“The only evidence that there has been proper consultation with the profession is in the Explanatory Notes for the Bill, not in the actual Bill. The final Bill is the same as before the consultation. This must change.

“The Bill should reflect the issues that the AMA has raised. The Bill should also reflect the points that are acknowledged in the Explanatory Notes.”

The latest AMA submission to COAG (attached) highlights the AMA’s specific concerns and recommended necessary amendments.

Dr Bartone said that medical defence organisations (MDOs), other medical groups, and other health professions hold similar views.

“The onus is now on the Queensland Parliament to prevail where COAG has dithered.

“The other COAG Health Ministers must also push for changes. They must match their strident stated public concern for doctors’ health with some legislative action rather than hide behind the secrecy of a COAG meeting.

“The AMA has appeared at consultations, written submissions, and talked to governments over many years to highlight how a proper policy could be delivered and operated without problems.

“We have a law in Western Australia that works well to protect patients and save doctors.

“Ministers knew what had to be done. But the Bill does not achieve their stated aim of helping our doctors.

“They rejected the WA model. They should now at least accept changes that will improve the current Bill.

“The Queensland Parliament must listen and act to deliver the best possible Bill. It will save lives,” Dr Bartone said.

The AMA COAG submission is at <https://ama.com.au/submission/ama-mandatory-reporting-submission-2018>

Background

- Meta-analysis of a Beyondblue literature review showed that male doctors had a 26 per cent higher risk of suicide, while female doctors had a 146 per cent higher risk of suicide, compared to the general population.
- An extensive study of more than 12,000 doctors by Beyondblue in 2013 revealed that 34.3 per cent cited concerns about their medical registration as a barrier to seeking treatment for a mental health condition.
- The same study showed that doctors report much higher rates of psychological distress and much higher rates of suicidal thinking than the general population or other population groups.
- The same study revealed that approximately 2 per cent of doctors reported that they had attempted suicide.
- The Western Australian Parliament accepted the medical profession’s arguments, and the Western Australian National Law contains an explicit exemption from mandatory reporting for treating doctors.
- Australian Health Practitioner Regulation Agency (AHPRA) annual report figures show that mandatory notifications have risen in Western Australia since the exemption came into effect – from 12 in 2011-12 to 35 in 2016-17.

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